

KEVIN V. RYAN (CSBN 118321)
 United States Attorney

MARK L. KROTOSKI (CASBN 138549)
 Chief, Criminal Division

JAMES E. KELLER (NYSBN 2893881)
 Assistant United States Attorney
 450 Golden Gate Avenue, 11th floor
 San Francisco, California 94102
 Telephone: (415) 436-6840
 Fax: (415) 436-7234
 Attorneys for United States of America

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No.: CR 06-00075 CW
)	
Plaintiff,)	STIPULATION AND ORDER
)	RETURNING DEFENDANT TO STATE
v.)	CUSTODY PURSUANT TO APRIL 19, 2006
)	WRIT AD PROSEQUENDUM TO ADDRESS
WILLIAM FOOTE,)	PROBATION REVOCATION MATTERS
)	
Defendant.)	OAKLAND VENUE

IT IS HEREBY STIPULATED AND AGREED by and between the parties that the defendant William Joseph Foote be returned to state custody pursuant to the April 19, 2006 Writ Ad Prosequendum for the defendant to address his probation revocation matters, case numbers FCR205196 and FCR206806, pending in Solano County Superior Court. The parties further stipulate and agree that, once the defendant resolves these state probation revocation matters, including sentencing thereon, the defendant will be returned to United States Marshal's custody pursuant to another Writ Ad Prosequendum. Notwithstanding the foregoing, the parties stipulate and agree that the defendant shall not be released from custody between the time of his transfer to state custody and his return therefrom.

The parties further note that defendant's transfer into state custody for this purpose was contemplated by the plea agreement in the above-captioned case, providing for a 57-month term of imprisonment to run concurrent to any terms of imprisonment defendant receives on the

STIPULATION & ORDER
 CR 06-00075 CW

1 above-mentioned probation revocation matters.

2 DATED: September _14_, 2006

_____/S/
ISMAIL RAMSEY
Counsel for William Foote

4 DATED: September _14_, 2006

_____/S/
JAMES E. KELLER
Assistant United States Attorney

7 **ORDER**

8 Based upon the foregoing stipulation of the parties, and good cause showing,

9 IT IS HEREBY ORDERED that the defendant, William Foote, be returned to state
10 custody to address his probation revocation matters, case numbers FCR205196 and FCR206806,
11 pending in Solano County Superior Court.

12 IT IS FURTHER ORDERED that the defendant return to United States Marshal's
13 custody once he has resolved these probation revocation matters, including sentencing thereon.

14 IT IS FURTHER ORDERED that once defendant has been sentenced in these state
15 probation revocation matters, the government is to submit a Writ Ad Prosequendum for
16 defendant to be returned to United States Marshal's custody for sentencing in the above-
17 captioned case.

18 IT IS SO ORDERED.

19 Dated: September 19, 2006



HON. CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE